

Approved February 25, 1991  
Date

MINUTES OF THE SENATE COMMITTEE ON JUDICIARY

The meeting was called to order by Senator Wint Winter, Jr. at  
Chairperson

10:05 a.m./~~pm~~ on February 5, 1991 in room 514-S of the Capitol.

All members were present except: Senator Moran who was excused.

Committee staff present:

Mike Heim, Legislative Research Department  
Jerry Donaldson, Legislative Research Department  
Gordon Self, Office of Revisor of Statutes  
Judy Crapser, Secretary to the Committee

Conferees appearing before the committee:

Bill Rich, Washburn University School of Law  
Paul J. Morrison, Johnson County District Attorney  
Gene Olander, Shawnee County District Attorney  
Judge Michael Barbara Washburn Univeristy School of Law  
Jessica Kunen, Kansas Chief Appelate Defender  
Cindy Epperson, Safehome, Inc.  
Ann Heberger, League of Women Voters of Kansas

The Chairman brought the meeting to order and reopened the hearing on the Kansas Sentencing Commission (KSC) recommendations.

Bill Rich, Professor of Law at the Washburn University School of Law, testified in support of the KSC recommendations. (ATTACHMENT 1)

Paul J. Morrison, Johnson County District Attorney, testified in support of the KSC recommendations. (ATTACHMENT 2)

Gene Olander, Shawnee County District Attorney on behalf of the Kansas County and District Attorneys Association, testified in support of the KSC recommendations. (ATTACHMENT 3)

Judge Michael Barbara, Professor of Law at the Washburn Law School, testified in support of the KSC recommendations. (ATTACHMENT 4)

Jessica Kunen, Kansas Chief Appelate Defender, testified in basic support of the KSC recommendations. She stated the Appelate Court would take exception to the departure section as they feel there is too much discretion left in. (ATTACHMENT 5)

Cindy Epperson, Executive Director of Safehome, Inc., Overland Park, testified in support of the KSC recommendations. (ATTACHMENT 6)

Ann Heberger, League of Women Voters of Kansas, testified in support of the KSC recommendations. (ATTACHMENT 7)

The hearing for proponents was continued to Wednesday, February 6, 1991 at 10:05 a.m. in Room 514-S. The meeting was adjourned.

Date 5 February 1991

VISITOR SHEET  
Senate Judiciary Committee

(Please sign)

Name/Company	Name/Company
Ron Smith - KBA	
Bill Mistell KDOC	
Chuck Simmons KDOC	
Michael A. Barbera <sup>Woburn</sup> Law School <del>Woburn</del>	
Steven A. Jarvis	
Quynh Hated - OJA	
Jerry Sloan OJA	
Jim Clark - KCDA	
Gene Clader - Dist atty <sup>SW CO.</sup>	
Bice Rice - Woburn	
Jerry <del>Clark</del> - ADO	
Joe Ruslow - WCCC	
Gindy Epperson - SAFEHOME, INC.	
Paul Morrison - Johnson County D.A.	
Carla Stovall - Parale Bd	
A Therese Barget - KCCD	
Bruce Liska - KALPECCA	
Blaine A. Carter - K.S.C.	
Don Mooney K.P.B.	
Marilyn Mooney	
Mark Manning DOB	
Will Belden LWUK	
Ann Heberger	LWUK
Cathy Estes SBIDS	
Helen Stephen	RPOA
Matt Lynch	Judicial Council

February 5, 1991

To: Kansas State Senate Judiciary Committee

Fr: Bill Rich  
Professor of Law  
Washburn University School of Law

Re: Proposed Sentencing Guidelines

### Summary of Testimony

I represent the class of inmates currently housed at the Lansing Correctional Facility. I was appointed by Judge Richard Rogers to litigation challenging prison conditions on behalf of those inmates in 1978. My views are based upon experiences with that litigation.

- A. **Problems of the current system.** Lack of predictability and control of the inmate population at both the time of incarceration and at the time of release was a fundamental cause of unconstitutional prison conditions in Kansas - and the associated runaway expenses of the prison system - which we have been dealing with.
- B. **Population limits.** The State must maintain the prison population within institutional capacities. As a result of past constitutional violations, Judge Rogers has established maximum capacities for all prisons within the state, and the state is prohibited from violating those capacities. As a result, there is not a question of whether or not to include "caps" within the concept of sentencing guidelines. The caps have already been established, and the only question is whether the court or the legislature will determine the way in which the limits will be administered.
- C. **Trigger mechanism to adjust guidelines.** Sentencing guidelines legislation must include a trigger mechanism which will cause review of the guidelines when it appears that the prison population may exceed institutional capacities. That trigger should occur at an early enough stage to allow deliberate consideration of alternative courses of action, and must also give the Commission the responsibility to act if alternatives are not adopted.
- D. **Retroactivity.** The guidelines should be applied retroactively. Evidence of substantial racial disparity should be corrected to the extent possible. Retroactive application of the guidelines will also help to reduce the current population and will therefore provide necessary administrative flexibility for the administration of the system. Immediate transitional steps towards application of the guidelines could be taken between now and July 1992 by authorizing the Parole Board to follow the effect of the guidelines during this time period. Such an authorization should also include development of a record upon which subsequent review would be based.

A copy of testimony which I presented to the Special Interim Judiciary Committee is attached to this summary, and I would reemphasize additional points included in that testimony.

*Senate Judiciary Committee*  
*Attachment 1*  
*2-5-91*

1-1/4

July 26, 1990

To: Special Committee on Judiciary

From: Bill Rich  
Professor of Law  
Washburn University School of Law

Re: Kansas Sentencing Commission

I appreciate the opportunity to meet with the Committee this afternoon. The topic of sentencing guidelines is an especially significant one for me. More than eleven years ago Judge Richard Rogers appointed me, along with the Washburn Law Clinic, to represent the class of inmates residing at what is now called the Lansing Correctional Facility. As a direct result of prison overcrowding, the task of representing those inmates has grown dramatically, and for the last two and one-half years I have devoted a major portion of my time to that work. Action which the legislature takes in response to proposals from the Kansas Sentencing Commission will likely determine the extent to which my life in the next few years will continue to focus on prison litigation.

There are several basic principles that I expect most observers would identify as measures of successful sentencing reform:

1. Criminal defendants convicted of the same crime and having a comparable criminal history should receive comparable sentences, regardless of who their judge is or where they happen to live within the state.
2. The length and conditions of sentences should be reasonable, predictable and understandable to the public and the defendants.
3. The length of prison sentences should be monitored and adjusted to assure management of the prison population within the limits of available facilities.
4. The length and conditions of sentences should be structured so that those who are convicted will be encouraged to behave constructively whether they reside in prison or in our communities.

I will not devote time to all of these issues. While I want to stress the fundamental importance of letting inmates know what the terms of their sentence will be, thus eliminating the anguish and the bitterness that result from the uncertainty and perceived arbitrariness of the current system, I am sure that others who appear before this Committee will share these views and capably

present them to you. Because of my personal involvement, however, I want to emphasize the last two points on my list.

My first and at this stage my greatest concern regarding the sentencing commission proposals is for the development of mechanisms which will assure that the inmate population does not exceed the capacity of the Kansas prisons. States which have successfully implemented sentencing guidelines, such as Minnesota, have also adopted such provisions for monitoring. Adjustments must be made on a regular basis, by a body such as the sentencing commission, if this goal is to be met. Failure to make these provisions will likely lead to further overcrowding of the prison system.

Judge Rogers has established a maximum capacity for each facility within the state, and his order will continue to bar overcrowding of facilities in the future. I sincerely hope, however, that it will be the legislature and the sentencing commission who exercise this responsibility. The legislature must establish population limits which, if exceeded, will trigger adjustment of sentencing guidelines. If they fail, then it will likely be the Judge, acting through pressure from the inmates and their lawyers, who retain that control. From a personal standpoint, I do not want to spend the next eleven years of my life in and out of the courtroom working on this issue.

I strongly urge the Commission and this Committee to address the issue of prison capacities at levels that are different than those ordered by Judge Rogers. I am certain that Secretary Davies will agree that prison facilities should never reach their maximum capacity. When that happens all flexibility is lost. Inmates are shuffled among institutions based on availability of space rather than appropriate placement. An adjustment mechanism which is triggered whenever the total population reaches ninety percent of total capacity would assure continued control of these issues by responsible state officials.

I also want to stress the important impact that sentencing reform can have on the behavior and development of the inmates. While all of us must admit that we lack clear empirical guidance on this issue, there are a few observations which I believe are supportable. First, continuing to reward good behavior is important. The one aspect of a defendant's character which cannot be known at the time of sentencing is how he or she will behave while in prison. (All other factors, such as the criminal history of the defendant, nature of the crime, etc., are known at the time of sentencing and should be reflected by the sentence; there is no reason for parole considerations based on such factors.) I think that it is reasonable to consider post imprisonment behavior, and I also believe that a well developed and consistently applied "good time credit" arrangement is the most effective means of doing so. I disagree with those who propose elimination of good time, since it is an open, understandable, fair and generally predictable element of a sentence.

As a second observation, I would stress the importance of maintaining education and mental health programs on a voluntary basis. Forced participation in those programs through the current parole process is almost certainly counter-productive and also represents a substantial waste of resources. Experts who have visited the Kansas prison system at my request consistently agree with this point. High levels of voluntary participation in the same programs, with inmates participating because of the quality of the programs and the personal benefits that result from participation, will have much more positive results. Both inmates and the communities they return to will benefit as a result.

Finally I would stress the importance of alternatives to imprisonment. New, more constructive and less expensive alternatives are available. Strong programmatic support in the community, especially that directed to such issues as substance abuse and mental health care, are essential. There is absolutely no evidence that a four year prison sentence offers a greater deterrent to crime than a one year sentence. Long sentences followed by a release with limited supervision and support is a prescription for failure. "Law and order" advocates who would emphasize lengthy imprisonment are almost certainly endangering the communities to which the inmates eventually return. Alternatives to imprisonment, or short sentences with expanded public resources used to supervise and support inmates on parole, will be much more likely to protect the people of Kansas from future criminal behavior.

Again let me thank the Committee for giving me an opportunity to address this topic. I have been impressed by the intelligent leadership that your committees in particular, and the legislature generally, have provided in an effort to resolve complex, deeply rooted problems affecting our criminal justice system. While I have generally focused my attention on my responsibility to represent Kansas inmates in the court, I certainly welcome your requests for information or opinions regarding these issues.

STATE OF KANSAS  
Tenth Judicial District

OFFICE OF DISTRICT ATTORNEY

PAUL J. MORRISON  
DISTRICT ATTORNEY

JOHNSON COUNTY COURTHOUSE  
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**TO: MEMBERS OF THE SENATE JUDICIARY COMMITTEE**

**RE: RECOMMENDATIONS OF THE KANSAS SENTENCING COMMISSION**

Good morning. I appreciate the opportunity to discuss with you these recommendations that were arrived at during meetings which have occurred over the last year and one-half. I'm sure you are aware that these recommendations are the result of a tremendous amount of effort put together by a diverse group of professionals involved in the criminal justice system. I mention with great sincerity these recommendations encompass the most sweeping changes that the criminal justice system has seen in Kansas in decades.

The guiding principles that have led to the adoption of these recommendations are that:

1. Incarceration should be reserved for serious offenders to protect the public safety.
2. Sentences should be fair and consistent with a reduction in disparity because of racial, geographic or other biases.

I'm sure you are all aware of the fact that the result of a survey done by the commission showed significant disparity based on racial and geographic factors. It is a

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fact that people who are non-white serve longer sentences in this state. We must do something about that. It is also a fact that too much of our prison capacity (well over one-half in 1989) is taken up by low grade felony offenders. We need to make more strategic use of our prison resources by incarcerating violent offenders for longer terms while allowing low grade felons, who do not have significant criminal histories, to be diverted into probation and community corrections programs which will allow them the greatest opportunities for rehabilitation. These guidelines accomplish the above objectives.

There has been some speculation that the guidelines are too "harsh" and do not aim to rehabilitate. I don't believe that to be the truth. First of all, to say that the prior system rehabilitates inmates is a myth. Some programs are offered which attempt to improve the lives of inmates and minimize chances of recidivism. Under the proposed sentencing guidelines, we recommend that all these programs be continued or expanded. The basic difference now is that guidelines recognize the fact that an inmate cannot be rehabilitated forcefully. He must do it himself. The system can only make opportunities available to him to improve him or herself.

As a prosecutor, my main concern is to help insure the public's safety. If one looks at the proposed grid, one can see that sentences for violent offenses are

significantly increased over what exists at the present. Champions of the rights of victims, particularly children and victims of violent sexual crimes, should be heartened to see these guidelines. For example, class B felons will, under these guidelines, enjoy a one hundred per cent presumptive incarceration rate. That stands in stark contrast to the sixty-six per cent of class B felons who currently go to prison. This is incredible when you consider class B felonies consist of crimes such as armed robbery, rape, kidnapping and other serious crimes against persons. Once again, this is one type of disparity we seek to remove.

Although not perfect, I believe that the implementation of the present form of these guidelines will be a giant step in the right direction for the criminal justice system of the State of Kansas. Thank you.



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## Kansas County & District Attorneys Association

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EXECUTIVE DIRECTOR • JAMES W. CLARK, CAE

### Testimony in Support of

### The Kansas Sentencing Commission Report

The Kansas County and District Attorneys Association supports the general concept of the report of the Kansas Sentencing Commission for two basic reasons:

1. **Reduction of Disparity** - The Commission Report documents a wide disparity in sentencing throughout the state, which most if not all prosecutors were unaware of. As county and district attorneys our duties are not just to prosecute, but to seek justice. In our view, justice requires us to seek to eliminate the disparity of sentencing based on race, gender, age or geographic location.

2. **Truth in Sentencing** - Prosecutors have always been the contact point for the public, particularly victims, to the criminal justice system. The concept of the indeterminate sentencing system, particular with the introduction of measures to alleviate prison overcrowding, has become much too complex for the general public to understand. This complexity has become more onerous because of recent statutory duties imposed on prosecutors to keep victims and their families apprised of the case and the defendant involved. In our view, a determinate sentence, with an established and well-publicized grid, will make the job of informing the public much easier. The certainty of sentencing will also give the public more confidence in our criminal justice system.

There are several concerns that our members have expressed concerning the Commission Report. We understand that the legislative intent behind the creation of the Commission was to reduce prison overcrowding. We also understand that the projections made by the Commission staff achieve that end. Our concern is that with the goal of reducing overcrowding inside our institutions, that the Legislature will not adequately fund the other kinds of programs necessary for those inmates who are below the incarceration line on the grid, particularly with those repeat or career property crime offenders. Adoption of the Sentencing Commission Report must be accompanied by increased funding of community corrections, intensive probation, and drug and alcohol treatment facilities.

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**BEFORE THE KANSAS STATE SENATE JUDICIARY COMMITTEE  
FEBRUARY 5, 1991**

**TESTIMONY OF MICHAEL A. BARBARA  
Kansas District Judge (retired)  
Former Kansas Secretary of Corrections (1983 - 1985)  
Professor of Law, Washburn University School of Law**

**Re: PROPOSED SENTENCING GUIDELINES**

First, I would like this committee to know that I am in favor of the proposed sentencing guidelines, and in fact, I probably was the first official to recommend sentencing guidelines when I was president of the Kansas District Judges Association in 1977.

When I became Secretary of Corrections the impact of predictability of prison population came closer to home. All attempts were initiated to try to develop predictability through sophisticated means to determine future space and control needs. It was an ongoing procedure.

Now the state has been mandated by Judge Rogers to maintain the prison population within capacities of the institutions. The state is inviting more problems from the federal court if institutional capacities are not properly addressed. Without a mechanism to trigger re-evaluation of the sentencing grids which have a direct ratio to future prison population, the state will be subject to violation of the court order every time the prisons

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Attachment 4*

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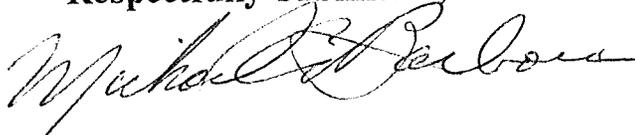
4-1/2

approach maximum capacity unless more building of prisons is initiated or a release of prisoners mandated. To avoid both undesirable options, the Guidelines should contain a provision for a "cap" or "trigger." When the prison population approaches assigned capacities or within 90 to 95 per cent of the maximum capacity, the Sentencing Guidelines commission, upon certification by the Secretary of Corrections, shall be obligated by statute to convene and consider changes in the sentencing guidelines and other alternatives which will directly affect the population. This should be an ongoing procedure.

I also favor that the guideline sentences be made retroactive. Kansas has a precedent for making penalty and good time statutes retroactive.

Experience tells us that it is not the exception that sentencing guidelines could very well result in more people going into the prison system and will be held for longer periods than the present indeterminable sentencing philosophy. We must be prepared for this circumstance.

Respectfully submitted,



Michael A. Barbara

Senate Judiciary Committee

Kansas Sentencing Commission Report  
(Sentencing Guidelines)

Jessica R. Kunen  
Chief Appellate Defender

Summary of Testimony

I. Reduce Departure Factors - Make list of departures exclusive  
- Chapter 9

In other jurisdictions which have a non-exclusive list of departure grounds, the appellate courts have upheld the trial court's newly created grounds for upward departure. Examples of upheld departure grounds created and upheld are:

1. Unamenability to probation - can be based on offender's "attitude" in court
2. Invading Zone of Privacy
3. Randomness of crime

Public defenders in these jurisdictions which have guidelines have reported a reversion to old sentencing patterns of disparity. The reasons given for the reversions are:

1. Increasing abuse of upward departure factors.
2. Heavy lobbying by special interest groups to increase ranges in sex offenses, drug offenses, and drunk driving cases.

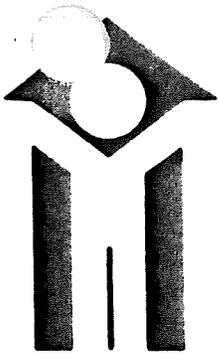
In Kansas, the appellate courts have always given great deference to district court sentencing decisions. Further, the court has recently ruled that K.S.A. 1989 Supp. 21-4603(3), and K.S.A. 1989 Supp. 21-4606a, which in our opinion were clearly enacted to immediately ease prison overcrowding, are to be applied prospectively only, thereby delaying the affect of these statutes for at least a year. See State v. Sutherland, opinion filed January 18, 1991, Supreme Court Opinion 64,274; State v. Sylva, Opinion filed January 18, 1991, Supreme Court Opinion 64,480. Further, the appellate courts have strictly interpreted K.S.A. 21-4603(3); SRDC must affirmatively and clearly recommend modification of sentence and set forth guidelines before the district courts must follow its recommendations. K.S.A. 21-4603(3); See State v. Sutherland.

These court decisions indicate that district sentencing decisions, based on newly created departure grounds, will be upheld and perhaps encouraged by the appellate courts. Therefore, I would strongly encourage this committee not to rely on appellate review to limit the power of the district courts concerning reasons for departure. The list of departures should be reduced, strictly drawn and made exclusive.

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*5-21*

- II. Limit discretion of the district courts to impose consecutive sentences - Chapter 8.
- A. Establish guidelines for imposing consecutive sentences.
  - B. Disallow departure and imposition of consecutive sentences based on same grounds.
  - C. District court must state reasons on record for departure.
  - D. Disallow consecutive sentences in cases where separate counts involve same intent, act or transaction.  
Example: making and delivering a forged check - 1 check, 2 counts - sentences should be run concurrently
- III. Allow appeals from sentences imposed consecutively - See p. 96.
- IV. Apply guidelines retroactively, and explicitly indicate retroactive application within enacting legislature. See State v. Sutherland, Supreme Court No. 64,274, Opinion filed January 18, 1991.



# SAFEHOME, INC.

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February 4, 1991

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## EXECUTIVE DIRECTOR

Cindy Zickefoose Epperson

Dear Members of the State of Kansas Senate Judiciary Committee:

Today, I approach you as an advocate for battered women, their children and survivors of sexual assault. I would like to share my thoughts with you regarding the recommendations of the Kansas Sentencing Commission.

By adopting the recommendations of the Commission, you will empower victims of sexual and domestic violence. Rape, currently a class B felony, will be considered a Level 2 crime. One-third of prosecuted rapists in Kansas never spend a day in prison under the current sentencing guidelines. The proposed guidelines would guarantee that 100% of convicted rapists would serve time in prison. Statistics have proven that a rapist will always be a rapist. Therefore, it is necessary to remove the person from society. I would suggest that along with the new guidelines, more money be appropriated to the treatment of sexual offenders.

At SAFEHOME, INC., a shelter for battered persons and sexual assault survivors located in Johnson County, we provide support services to the survivors of domestic and sexual crimes. Most of our clients express feelings of loss of control over their options when they go through the criminal justice system. The current sentencing practices in Kansas are unpredictable and are not proportionate to the crime. The new guidelines will allow advocates to predict accurately the sentence which will be imposed on the offender if convicted. Today, sentencing seems to be a game of chance based on the background of the offender and the personal opinions of the judge presiding over the case. I believe you will have a much higher conviction rate in rape cases, when you can tell the victim that their offender will serve a certain number of years. Your witness will be more cooperative and feel more positive towards the system.

By deleting the "good time credit" from the penal system, victims will be empowered. A criminal never stops to consider the lifelong impact his/her crime will have upon the victim. It is disempowering for a victim to find out that his/her perpetrator was released early because he/she was a model prisoner. Battered women are frightened to learn that their

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terrorizer has been released early because he was the perfect inmate. Batterers are manipulators. They can "play the game", in order to get out early and "teach their victim a lesson".

As a board member for Stop Violence, I have worked with many inmates at the Kansas Correctional Facility East. In my experience, I have learned that most inmates, when being honest, have a need to be punished for their crimes. Unfortunately our statistics demonstrate that one-half of the current inmate population in Kansas consists of persons convicted of Class D & E felonies. For most of these offenders, punishment could be combined with rehabilitation by our community corrections system. Society continues to fool itself into believing that it can "lock up" an offender in a strictly controlled or artificial environment, make him/her become "rehabilitated" and then send him/her back into a loosely controlled environment filled with thousands of choices. In prison, inmates make very few choices. The system chooses for them. Therefore, it makes sense to place most nonviolent offenders into the community corrections system. The proposed sentencing guidelines will accomplish this.

In closing, I would recommend that the sentencing commission continue to be funded. Misdemeanor offenses need to be reviewed in this same manner. Unfortunately, most domestic assaults are treated as misdemeanors. The proposed guidelines will provide for guaranteed time for domestic offenders charged with felonies. For example, an aggravated battery charge will bring, at least, 45 months of prison time with no prior convictions. Statistically, it takes a batterer two years of weekly anger control treatment for before there is a high probability of ceasing his abusive behavior. It will take the victim, at least, two years to establish herself as an independent head of household.

I commend the Sentencing Commission for the work they have completed. I also, thank you for listening to concerned citizens, such as myself, and for caring for the victims in our State.

Sincerely,



Cindy Zickefoose Epperson  
Executive Director

# LWWVK LEAGUE OF WOMEN VOTERS OF KANSAS

February 1991

SENATE COMMITTEE ON THE JUDICIARY: KANSAS SENTENCING COMMISSION  
RECOMMENDATIONS.

Senator Winter and Members of the Committee:

My name is Ann Hebberger, and I am speaking for the League of Women Voters about the Kansas Sentencing Commission's proposed Guidelines.

The League of Women Voters of Kansas supports the present format of the Criminal Code which is a mix of indeterminate and mandatory-minimum sentencing, but believes that some changes are needed to make the system more effective, consistent and fair in dealing with both offenders and victims of crime. Therefore, we support the concept of uniform sentencing guidelines for the judiciary, and have worked for a number of years to see that a commission was established and funded.

League position states that there should be, "better protection of society from violent behavior and repetition of criminal acts by requiring incarceration of such offenders; and more structure and uniformity in sentencing, yet some flexibility in individual cases. The grids certainly show structure and seem to indicate some flexibility. We agree with the Commission that there be established appellate review when a sentence deviates from the guidelines.

The League also supports the idea that the citizens and governmental units of the State of Kansas have the responsibility to provide for society a humane program of corrections for each offender.

Although the Commission's mission statement declares that prison is punishment not rehabilitation, the League finds it hard to have ever believed otherwise. Punishment is already in place when incarceration occurs. Rehabilitation takes place in prisons when money is available.

We believe that there should be rehabilitation through diagnosis and treatment, work opportunities that are meaningful, vocational training, and a full range of educational opportunities for both men and women. The object of the program should be to integrate offenders back into society as productive and successful citizens, thereby protecting the total community. In other words, we believe that those coming out of prison should be better people than those going in. Therefore, we strongly agree with the Commission report that rehabilitation efforts be continued and funded for those who are incarcerated.

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For years, the League has been trying to convince the Legislature that there is racial bias within the criminal justice system. If it is true that sentencing guidelines transfers more so-called power to prosecutors, we hope that the fact that such bias exists will be considered in their decision making as well as in all areas of the system.

LWVK does not have a position on 120 Day Call Backs, but we would agree that shock probation is very expensive. We do have concern that judges will rely on local jails for shock treatment. I can't speak for other communities, but the Johnson County jail is full and overflowing at all times. There is a nine to eleven month wait for those convicted of a second D.U.I. to serve 48 consecutive hours. Another problem is that only a few (four) communities have Community Corrections residential facilities. Also services at least in my community, are very limited for women.

According to Governor Finney's proposed budget, Community Corrections money is on hold. Because of the above situation, we believe that more services must be provided by expansion of Community Corrections programs to meet this need before sentencing guidelines are implemented.

The League supports the concept of sentencing guidelines, but hopes that you will take into consideration our concerns.

Thank you very much for the opportunity to appear before you today.

Ann Heberger  
League of Women Voters of Kansas  
913-722-4759